

COUNTY OF YORK

MEMORANDUM

DATE: May 20, 2002 (BOS Mtg. 6/4/02)

TO: York County Board of Supervisors

FROM: James O. McReynolds, County Administrator

SUBJECT: Application No. UP-596-02, Elizabeth Robinson

ISSUE

Application No. UP-596-02 requests a special use permit, pursuant to Section 24.1-283(b) of the York County Zoning Ordinance, to authorize a beauty shop as a home occupation within a single-family detached dwelling on a 0.68-acre parcel of land located at 521 Waller Mill Road and further identified as Assessor's Parcel No. 6-1-2A.

DESCRIPTION

?? Property Owner: Elizabeth and Hugh Robinson

?? Location: 521 Waller Mill Road

?? Area: Approximately 0.68 acre

?? Frontage: Approximately 70 feet on Waller Mill Road (Route 713)

?? Utilities: Public water and sewer

?? Topography: Flat

?? 2015 Land Use Map Designation: Medium-density residential

?? Zoning Classification: R20 – Medium density single-family residential

?? Existing Development: Single-family detached home

?? Surrounding Development:

North: Undeveloped parcel; single-family detached home beyond

East: None

South: Single-family detached home

West: Watershed property

?? Proposed Development: Beauty shop as a home occupation

CONSIDERATIONS/CONCLUSIONS

1. The applicant lives along a relatively sparsely developed section of Waller Mill Road and wishes to style hair in her home for her family and friends. Because she would accept payment for this service, it would constitute the operation of a beauty shop as a home occupation. Section 24.1-283 of the Zoning Ordinance requires a special use permit for any home occupations with on-premises retail sales, personal services, or customer/client contact, specifically including barber and beauty shops.
2. Section 24.1-281 of the Zoning Ordinance specifies a series of performance standards that apply to home occupations in general, and Section 24.1-283(b) sets forth additional standards that apply specifically to those home occupations for which a use permit is required. The general purpose of these standards is to limit the size, scale, and visibility of home occupations in order to ensure that they remain incidental and subordinate to the residential use of the property and to prevent adverse impacts on surrounding homes. Pursuant to these standards, home occupations are not permitted to occupy more than 25% of the floor area of the residence or 400 square feet, whichever is less. The applicant's home has 1,409 square feet of floor area, and she has indicated that the beauty shop would be limited to one 79-square foot room (5.6% of the floor area of the home). The Zoning Ordinance also limits the hours of operation to the period between 8:00 AM and 8:00 PM, Monday through Saturday, unless otherwise specified by the Board through a use permit condition.

According to the applicant, the beauty shop would be a small-scale, part-time operation with approximately eight (8) to ten (10) appointments per month, and styling appointments would be between one to two hours long depending upon the service requested. There are no employees other than the applicant, and she proposes to offer appointments Tuesdays through Fridays from 9:00 AM to 5:00 PM and Saturdays from 8:30 AM to 1:00 PM. The applicant's customers (8 to 10 per month) would contact her to arrange appointments during these proposed business hours. Based on this information, staff estimates that the business would likely generate no more than twenty vehicle trips per month, or an average of five trips per week. The **potential** trip generation, however, is greater because of the proposed hours of operation, which could conceivably provide for as many as 20 customers – and 40 vehicle trips – per week (assuming one customer every hour-and-a-half, on average, with two one-hour breaks). This is a worst-case scenario (in terms of traffic), and a condition has been included in the approving resolution specifying that only one customer may be served at a time.

3. The subject property can accommodate both the residential parking requirement (two spaces) and the off-street parking demand generated by the proposed beauty shop (1 space).
4. In the past eleven years, the Board has approved nine applications for home barber and beauty shops. For comparison purposes, relevant data for these nine home occupations are listed in the table below. As the table shows, the proposed home

occupation would be less intensive in size and hours of operation than most of these approved home occupations.

Approval Date	Location	Maximum Area	Days and Hours of Operation
2/21/91	Lotz Acres Estates	125 square ft.	Monday-Saturday, 8 AM-8 PM
10/17/91	Hudgins Farm Drive	240 square ft.	Monday-Saturday, 8 AM-8 PM
4/16/92	Hornsbyville Road	240 square ft.	Monday-Saturday, 8 AM-8 PM
10/15/92	Running Man	150 square ft.	Monday-Saturday, 8 AM-8 PM
5/20/93	Edgehill	260 square ft.	Monday-Friday, 9 AM-5 PM
8/16/95	Carraway Terrace	200 square ft.	Tuesday-Thursday, 9 AM-6 PM
11/21/00	Woods of Tabb	150 square ft.	3 days/week 9 AM-5 PM
2/19/02	Edgehill	250 square ft.	Tues.&Thurs., 10 AM-7 PM; Wed.&Fri., 10 AM-4 PM; and Saturday 10 AM-2 PM
2/19/02	Carver Gardens	200 square ft.	Monday-Saturday, 8 AM-8 PM

According to staff in the County's Zoning and Code Enforcement Division, there have been no complaints or compliance problems associated with any of these home beauty/barber shops.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission considered this application at its May 8 meeting and, subsequent to conducting a public hearing at which only the applicant spoke, voted 5:0 (Messrs. Heavner and Simasek absent) to recommend approval.

COUNTY ADMINISTRATOR RECOMMENDATION

The proposed home occupation is a small-scale operation and is not likely to have any adverse impacts on the surrounding area. I am confident that the proposed conditions are sufficient to ensure that it remains a small-scale operation, consistent with the intent of the home occupation provisions of the Zoning Ordinance. Therefore, I recommend the Board approve this application subject to the conditions contained in proposed Resolution No. R02-114.

Carter/ 3337

Attachments

?? Excerpt of unapproved Planning Commission minutes of May 8, 2002

?? Zoning Map

?? Vicinity Map

?? Proposed Resolution No. R02-114